

REMARKS

This amendment is offered in response to the Office Action of July 22, 2003.

In response to the rejection under 35 U.S.C. §112, first paragraph, the Applicant respectfully submits that there is nothing inconsistent between a web having a tendency to tear and an invention which minimizes that tendency to tear. The term “minimize” does not mean “completely eliminate”, particularly when frangible events are involved. In the present invention, the orientation of the vent apertures minimizes this tendency to tear. To clarify this, Claim 1 has been amended to recite that “the orientation of said ~~line of~~ vent apertures with respect to said line minimizes tear propagation of said web component along said line” (amendatory markings shown).

The Office Action rejects Claims 1-5 and 11 under 35 U.S.C. §103(a) over the Cetrelli reference (U.S. Patent No. 4,284,228) or Wendt reference (U.S. Patent No. 2,689,678) in view of the allegedly admitted prior art.

The Cetrelli reference apparently discloses a relatively rigid container. Moreover, the container of the Cetrelli reference would not tend to tear along the vent depressions even if the vent depressions were holes. Even if the depressions were replaced with holes, these holes would be provided in only a single layer of the double ply. Otherwise, the liquid within the container of the Cetrelli reference would leak through the wall. This is quite different from Claim 1 which recites that a “line of through vent apertures” is provided to a web component which has “a tendency to tear along lines of apertures”.

The Wendt reference discloses a bag which is formed in a completely different manner than the presently claimed method. The Wendt reference discloses a bag wherein slits are formed with a preheated cutting knife (see element 9, Figure 4 and col. 3, lines 25-32) which is

completely different from the claimed method. There is no teaching or suggestion in the prior art to combine the Wendt reference with the allegedly admitted prior art.

It is therefore respectfully submitted that all of the presently pending claims are patentable over the cited prior art.

In view of the above, it is respectfully submitted that the claims as herein are patentably distinguishable over the prior art and the application is now believed to be in condition for allowance.

Respectfully submitted,



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